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SUBJECT: SCENESETTER FOR CODEL PRICE JULY 01-02 2008

1. (SBU) Summary: The Democratic Republic of the Congo (DRC) is slowly grappling with fundamental governance, security and development challenges following historic 2006 national elections. The promise of peace and democratization and the importance of the DRC as the linchpin of central Africa and beyond have made it one of the Department's top seven priority assistance countries in Africa. The January 2008 Goma accords between the government and armed groups, facilitated by the U.S., UN and EU, created a process aimed at achieving peace, security and development in the country's eastern provinces. Widespread insecurity only amplifies a political and judicial vacuum throughout the country, contributing to a pervasive climate of impunity in which armed men routinely abuse civilians, particularly women and children. There are clear signs the population is growing impatient with the pace of the government's efforts and skeptical that democracy can solve the country's problems. This visit will reaffirm U.S. commitment to a long partnership with the Congolese people to develop democratic institutions and reinforce our shared objective of a peaceful and prosperous DRC. End summary.

2. (SBU) CODEL Price's visit to the DRC is a reaffirmation of U.S. support for the country and its fledgling democracy. It comes in the second year following the historic presidential and parliamentary elections of December, 2006 in which Joseph Kabila was elected president and representative institutions were installed at the national and provincial levels. Kabila had initially gained power in 2001 after his father, Laurent Desire Kabila, was assassinated. He led the DRC during a difficult transition from dictatorship, mismanagement and devastating wars, which are believed to have taken the lives of as many as five million people between 1996 and 2002. The electoral process produced a government that has been confronting the challenges of developing democratic institutions amid popular expectations of change. This situation calls for continued and sustained U.S. engagement.

3. (SBU) The DRC, a country as vast as the United States east of the Mississippi River, has the economic potential to drive the development of all of central Africa. The Department's 2006 decision to identify it as one of seven priority assistance countries in Africa reflected achievements to date, the promise of the peace and democratization processes, and the country's importance to regional stability and development.

4. (SBU) The Mission's overriding goals focus on reinforcing Congolese political will and capacity for robust and effective leadership and oversight at all levels of government, while promoting broad economic development. Together with Washington and other diplomatic missions, we will identify and engage key decision-makers and implement results-oriented initiatives to support transparent governance, legislative accountability, judicial independence, political pluralism and provincial and local autonomy. Our assistance program fully supports and reflects the transformational diplomacy goals laid out by Secretary Rice. USAID's FY 2006 bilateral foreign assistance budget for DRC programs totaled \$68 million, including funds received from central accounts

but excluding humanitarian assistance. Amounts for FY 2007 rose to \$71 million (with supplemental funding), and rose again in FY 2008 to over \$100 million, including increases for peace and security, governing justly and democratically, health, education, and economic growth programs.

#### Security challenges in the east

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15. (SBU) The Congolese military (FARDC) suffers from low morale, weak command and control, widespread corruption, haphazard administration, poor operational planning, limited training and equipment, and questionable military capability. State and irregular military forces are responsible for many of the worst human rights abuses in the country. North and South Kivu provinces merit particular attention. Following a failed FARDC offensive in early December 2007 against a renegade militia led by dissident General Laurent Nkunda, a self-proclaimed champion of the Congo's small Tutsi population, the government agreed to launch a peace process. The process brought together the government with armed groups from both provinces in the Kivu Peace, Security and Development Conference of January 2008. As a direct result of U.S., UN, and EU engagement, the Conference produced an agreement now known as the Goma accords.

16. (SBU) Implementation of the agreement has proven to be more problematic and will require continued commitment by the U.S., UN and European Union. A series of government decrees established the structure and composition of the National Program for Security, Pacification, Stabilization and Reconstruction in North and South Kivu (the "Amani" program) set up to implement the Goma accords.

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Father ("Abbe" in French) Apollinaire Malumalu, a Catholic priest who served as conference president, leads the program as national coordinator. Interior Minister Denis Kalume heads a steering committee including international facilitators that met for the first time in March. The key Joint Technical Commission on Peace and Security, under FARDC and MONUC co-chairmanship, held its opening session in April. Intermittent participation by various armed groups hinders the overall progress towards disarmament and integration of former combatants into the national army or civilian life. Ensuring the long-term success of this agreement will clearly require the continued and unflagging commitment of the U.S. and our European and UN partners, including the funding of demobilization centers.

17. (SBU) In a parallel process, the DRC and Rwanda signed a landmark joint statement in November 2007 in Nairobi to end the threat posed by Rwandan Hutu rebel groups known collectively as the Democratic Forces for the Liberation of Rwanda (FDLR per its French acronym). They agreed to act through peaceful means if possible, principally by encouraging FDLR fighters and their families to return to Rwanda. The statement does not, however, exclude the use of force. The FDLR, formed largely from the remnants of the former Rwandan army and Interahamwe militia, remains the largest of several foreign armed groups operating in the DRC, with approximately 6,000-8,000 combatants in North and South Kivu. Its leaders include a number of individuals implicated in the 1994 Rwanda genocide. The FDLR poses a threat to the country's overall security and stability while remaining a continuing source of friction between Congo and its neighbors.

18. (SBU) The U.S. has been actively involved in assisting efforts by the DRC and the United Nations Mission in the Congo (MONUC) to end the threat posed by the FDLR, most recently by the announcement of a renewed Rewards for Justice Program targeting several of its top leaders present in the DRC. This program provides for rewards of up to \$5 million for information leading to the capture of named individuals wanted by the International Criminal Tribunal for Rwanda for their involvement in the 1994 genocide. Their apprehension will not only serve the cause of justice but could help break the cohesion of the FDLR.

U.S. leadership

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¶9. (SBU) The United States has played a key role in efforts to re-establish peace in eastern Congo. In 2004, the U.S. launched the Tripartite (now Tripartite Plus) process, a forum bringing together senior officials from the DRC, Rwanda, Uganda, plus Burundi, to promote cooperation and regional dialogue. A special Tripartite Plus summit chaired by Secretary Rice December 5, 2007 in Addis Ababa brought together three of the four Tripartite Plus heads of state. Although Kabila was the only head of state who did not attend, the three ministers representing him were active participants in decisions to strengthen commitment to resolving conflict in eastern Congo and increasing regional cooperation.

¶10. (SBU) Current active U.S. peacemaking efforts date to late 2007. Eastern Congo was a major topic of Kabila's White House meeting with the President in October 2007. They discussed USG assistance to the DRC, including increased funding to combat malaria and AIDS, and the war on terrorism. The President confirmed that the U.S. would open an Embassy office in Goma in response to Kabila's request; the office has been staffed since early November 2007 by Foreign Service Officers on detail from Washington or Embassy Kinshasa. A new position to staff the office on a full-time basis with someone living in Goma has been approved; the officer will arrive in Goma in October. USAID now also maintains a regular presence in Goma.

¶11. (SBU) Tim Shortley, Senior Advisor to Assistant Secretary Jendayi Frazer, continues to play a major role in consolidating the processes aimed at ending the threat posed by the FDLR, Nkunda's fighters and other armed groups. Working closely with UN, EU and South African special envoys, he helped broker the Congo-Rwanda Nairobi communique. After President Kabila asked him to return to the DRC in December following the failure of his Masisi offensive against Nkunda, Shortley negotiated the withdrawal of Nkunda's forces from territory abandoned by the FARDC during its retreat. He was a key player at the Kivu conference, and he and the EU special envoy continue to play active roles in pushing signatories to implement the Goma accords.

MONUC  
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¶12. (SBU) MONUC includes a 17,000-strong peacekeeping operation

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with military contingents in all provinces and major cities and more than 3,000 civilian employees. Now led by SRSR Alan Doss of the U.K., who previously headed the UN mission in Liberia, MONUC was created in 1999 pursuant to the Lusaka accords and a UN Security Council mandate. With an annual budget of over \$1 billion, it is the largest and most expensive UN peacekeeping operation in history.

The U.S., as the largest contributor to the UN peacekeeping budget, funds 27 percent of its expenditures, i.e. approximately \$300 million per year. India, Pakistan, Bangladesh, South Africa, Uruguay and Nepal are the leading contributors of peacekeeping troops, each with contingents of more than 1,000. Much more than a simple peacekeeping operation, it provides military, transportation, communications and administrative services in the absence of a meaningful GDRC presence outside Kinshasa and some provincial capitals. MONUC's Radio Okapi is the only FM station broadcasting throughout the DRC in the country's five main languages. MONUC also maintains regular flights to all major Congolese cities.

¶13. (SBU) Another current key aspect of MONUC's activities in the DRC involves what is known as the "stabilization plan," the purpose of which is to lay the groundwork for the mission's eventual and orderly withdrawal from particularly the eastern part of the country. The plan is supported by an assistance package for implementation, and consists of four principal components: a security component, by which armed groups are disbanded through a combination of political and military means; a political component which involves GDRC political actors in advancing the peace processes; a state authority component by which institutions such as the police, judiciary, and other elements of public administration are strengthened; and a return and reintegration component, which aims to aid and resettle ex-combatants, refugees, and internally

displaced persons in local communities.

#### Peace and security

¶14. (SBU) Reform of the DRC's security services has achieved little success to date. DRC plans for reform of the military, police, and justice sectors presented at a late-February international conference on security sector reform (SSR) lacked a sense of priorities and appeared little more than laundry lists to which donors were expected to pledge. The EU has long had significant involvement in the Congolese security sector, including European Security (EUSEC) and European Police (EUPOL) missions. France, Belgium and other EU member states have provided substantial funding for military reform and training programs. South Africa and Angola have also played major roles, including training and equipping of integrated military brigades.

¶15. (SBU) USG assistance to DRC security services is set to increase. New funding from International Narcotics and Law Enforcement (INCLE) and Peacekeeping Operations (PKO) budget lines has been proposed. We are currently utilizing \$5 million in FY 2006 PKO funds to rehabilitate the officer training institute and provide training for staff officers and military magistrates and investigators. The International Military and Education Training Program (IMET) funds U.S.-based courses that include English-language training. INCLE (International Law Enforcement and Control) funds from the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) are being allocated to stand up the Congolese border police in Ituri District. The Nonproliferation, Antiterrorism, Demining and Related Projects appropriation - "NADR" -pays for the destruction of obsolete ordnance. In addition, the \$300 million in U.S. funding for MONUC now also supports its new FARDC training program.

#### Democracy and governance

¶16. (SBU) The Congolese people had high expectations that the democratic process will improve their lives. The relatively large turnout in the July and October 2006 presidential and parliamentary elections demonstrated their hopes for a democratic system of government. New institutions, however, have been slow to generate momentum. The 500-member National Assembly counts only a small number of members with legislative or government experience. The Assembly and the 106-member Senate have only begun to consider a heavy agenda of major legislation. Provincial officials are unfamiliar with decentralized authority and lack resources, money and experience. Elections for local and municipal officials are tentatively scheduled for mid 2009 at the earliest.

¶17. (SBU) Parties and candidates aligned with Kabila's electoral coalition, the Alliance for the Presidential Majority (AMP), won working majorities in the National

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Assembly and Senate, as well as eight of 11 provincial assemblies and ten of 11 governorships -- leaving the opposition with little apparent political clout. Prominent opposition figure Jean-Pierre Bemba departed for Portugal in April 2007, following fighting in Kinshasa the month before between his forces and government troops. He was arrested in Belgium on May 24 on an ICC warrant for war crimes allegedly committed by his forces in the Central African Republic from 2002-2003.

¶18. (SBU) USG governance and institutional reform programs, budgeted at \$10.2 million for FY 2007 and a proposed \$19 million for FY 2008, focus on combating corruption and human rights abuses, developing independent judicial and legislative institutions, facilitating decentralization of state authority, and supporting local elections. Their objectives include long-term transformation as well as direct citizen access to services. We have provided assistance to National Assembly deputies drafting key legislative proposals, including laws relating to the financing of political parties, decentralization, the establishment of a national election



commission and the protection of human rights. We have also conducted capacity-building seminars for National Assembly deputies and staffers, supported the creation of provincial watchdog and advocacy groups to encourage citizen participation in democratic processes, and worked to develop skills of political party members, foster grassroots anti-corruption initiatives, and establish mobile courts and legal aid clinics.

#### Human rights and gender based violence

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¶19. (SBU) Security forces and armed groups remain responsible for most human rights violations in the DRC, including unlawful killings, disappearances, torture, rape and arbitrary arrest and detention. Human rights advocates have extensively documented the involvement of these elements in such abuses. Constitutionally-protected freedoms of association, speech, and protest are increasingly disregarded by security and administrative authorities using vague Mobutu-and colonial-era laws to arrest and detain perceived critics. The Embassy is working with NGOs and other diplomatic missions to encourage Parliament to bring these laws into line with the 2006 constitution.

¶20. (SBU) Sexual violence against women and girls in eastern DRC is pervasive. While most of the recorded attacks have been by armed groups and the FARDC, reports of rape by civilians is increasingly prevalent. A general climate of impunity does nothing to discourage these acts. In a recent report, the UN Human Rights Integrated Office in the DRC (UNHRO) stated that despite strengthened laws on sexual violence "law enforcement personnel and magistrates continue to treat rape and sexual violence in general with a marked lack of seriousness. Consequently, men accused of rape are often granted bail or given relatively light sentences, and out-of-court settlements of sexual violence cases are widespread." In fact, relatively few cases are reported to the police, and fewer still result in prosecution.

¶21. (SBU) USAID, OFDA and the Departments of State and Defense support activities to respond to and prevent sexual violence through a variety of interventions in the eastern provinces. Since 2002, USAID has allocated more than \$10,000,000 for Gender-Based Violence activities in Eastern DRC and will program \$1,500,000 in FY 2008 to continue its holistic program of care and support for rape survivors and other victims of sexual abuse. The Defense Institute for International Legal Studies (DIILS) taught two three-week training sessions on the investigation of sex crimes in 2008 to nearly all 350 of the FARDC military magistrates and police investigators with investigatory and adjudicatory roles. The program, funded through PKO monies, sponsored sessions in eight different sites across the country, and received laudatory comments from the international community. A follow up proposal has been submitted for additional DIILS training and is currently under review.

#### Economic growth

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¶22. (SBU) Most of the estimated 60 million Congolese, have not benefited from the country's vast natural resources, including minerals, forests and rivers. With over 90 per cent unemployment and an informal sector that rivals the formal economy in size, most people survive on less than one dollar a day. Despite annual GDP growth of nearly six per cent in 2007, per capita GDP is only around \$120. At the current growth rate, per capita income will not reach pre-independence levels until the middle of the 21st century. Economic growth, spurred largely by the mining sector in Katanga province, is estimated to be slightly higher for 2008, but this must be weighed along with a possible doubling of inflation, from under

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10 percent in 2007 to a projected 20 percent or higher in 2008.

¶23. (SBU) Despite some progress on macroeconomic and financial reforms since 2003, the IMF Poverty Reduction and Growth Facility (PRGF) lapsed, in March 2007 due to continued government overspending and failure to meet structural reform targets. The DRC received little or no direct outside assistance to

support a USD 2.5 billion budget for 2007 and USD 3.6 billion for ¶2008. The DRC has been granted Highly Indebted Poor Country (HIPC) status, but without a PRGF program in place, and little prospect for renegotiating one before the end of 2008, is not making progress toward achieving the nearly complete debt forgiveness it badly needs.

¶24. (SBU) The 2008 budget, signed into law by President Kabila in January, calls for expenditures of \$3.6 billion, much of it for government salaries (including civil servants, public school teachers and military personnel) and the security sector. Without outside budget support in 2008, the GDRC may again face large deficits, to which it has historically reacted with large amounts of currency issuance. The GDRC is making a concerted effort to raise state revenue levels, but this may not solve the budget shortfall problem. Since January 2008, GDRC spending has been apparently contained within budgetary limits, but many of its expenses will come due only during the last quarter of the year. Military expenditures in eastern Congo appear to be the cause of much of the recent overspending.

¶25. (SBU) The GDRC is working to implement the Poverty Reduction Strategy Paper (PRSP) approved in mid-2006 by the IMF and World Bank boards. The government's five-year program, approved by the National Assembly in February 2007, is based on the PRSP and focuses heavily on President Kabila's five priority areas: infrastructure; employment; education; water/electricity; and health. Economic growth will depend on progress in these areas. In early 2008 the GDRC concluded an agreement with the Chinese government. Though not all details have been made public, the GDRC announced that it will exchange over 8 million tons of copper and over 200,000 tons of cobalt for an estimated \$6 billion in Chinese-funded infrastructure projects, including roads, railway, universities, hospitals, housing and clinics. China will also spend an estimated \$3 billion in the mining sector on as-yet-unnamed mining concessions. China is exploring other possible "infrastructure for natural resources" deals with the DRC.

¶26. (SBU) The USG is an active participant in international donors' Country Assistance Framework (CAF) process for 2007-10, designed to align assistance strategies and support GDRC efforts to implement the PRSP. Bilateral USG foreign assistance funding for economic growth is modest, with only \$8 million designated for activities to increase agricultural productivity, although this is supplemented by a \$30 million, three-year Food for Peace program to help spur rural development. USAID has active global development alliances with mining, agro-business and health partners.

¶27. (SBU) U.S. commercial interests in the DRC are small but growing, with a U.S. company (Seaboard Corporation) running the largest flour mill in the country and an American mining company (Freeport McMoRan) gearing up to produce an estimated 100,000 tons of copper metal by early 2009. USAID and the British Department for International Development (DFID) are collaborating on efforts to help the GDRC implement the Extractive Industries Transparency Initiative (EITI). USAID, through the Central African Regional Program for the Environment (CARPE) and the Congo Basin Forestry Partnership (CBFP) is working to promote better management of the forestry sector. The U.S. Trade and Development Agency (USTDA) has granted \$500,000 for a hydroelectric sector pre-feasibility study, and is looking at the transportation (river and rail) sector for further opportunities for U.S. investments in DRC infrastructure.

The scene today

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¶28. (SBU) CODEL Price's arrival comes at a moment of both tensions as well as continued hope. The Congolese people look to their government, and the international community, for help to bring an end to conflicts that have cost billions of dollars, uprooted hundreds of thousands of people and resulted in millions of deaths. These conflicts have also created an atmosphere of widespread insecurity, contributing to a political and judicial vacuum in which women and children are routinely abused, and in which the perpetrators go unpunished. There are clear signs the population is growing impatient with the pace of the government's efforts and skeptical that democracy can solve its problems. In this

environment, we ask you to help us to reinforce the following

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messages:

-- The Congolese people rightly expect responsible leadership at home as well as supportive international partners. We will continue to support the new leadership to develop transparent practices, establish good governance for the well-being of the Congolese people, and improve the stewardship of its abundant natural resources.

-- They are eager to realize tangible benefits from their investment in democracy. They must cease being made victims of violence. Human rights must be respected and violators punished.

-- Congo has taken remarkable strides to replace war with peaceful democratic change. The successful elections were a tangible demonstration of the people's desire for peaceful governance. The United States is eager to see that momentum continue.

-- We encourage political and military authorities to pursue a peaceful resolution of the security problems which persist in Congo.

-- The United States will continue to support and work closely with the GDRC and MONUC to bring about political reconciliation and to prevent further conflict in the DRC and the region.

-- We strongly support the Nairobi and Goma processes and are contributing funds and expertise to ensure their success will bring lasting peace and stability to the region.

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